

### **REMARKS**

Claims 7-11, 43-45, 47-50 and 53 remain pending in the present application. Claims 51 and 52 have been cancelled. Claims 7-9, 43, 47 and 50 have been amended. Claim 53 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **ELECTION/RESTRICTION**

Claim 49 defines a bent portion being formed in a portion of the double pipe. As illustrated in Figure 12 which is a figure of the elected species, a bent portion of the double pipe is illustrated. Thus, Applicants believe Claim 49 reads on the elected species. Claims 51 and 52 have been cancelled.

### **CLAIM OBJECTIONS**

Claims 7, 8, 47 and 50 are objected to because of informalities. The claims have been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 8, 43-45 and 50 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

## **REJECTION UNDER 35 U.S.C. § 102**

Claims 7, 8, 10, 43 and 44 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kosugi, et al. (U.S. Pat. No. 4,796,924). Applicants respectfully traverse this rejection. Claims 1 and 43 have been amended to define that each end portion of the inner pipe and outer pipe define a plastically deformed area directly engaging the joint member for joining the joint member to the inner and outer pipes. The end portion of the inner pipe extends from the end portion of the outer pipe and extends through an insertion hole defined by the joint member. The inner pipe is joined to the joint member by expanding the end portion of the inner pipe to form the plastically deformed area of the inner pipe.

Kosugi, et al. does not disclose, teach or suggest a plastically deformed area on both the inner and outer pipe which directly engage the joint member. The only plastically deformed area on pipe 106, 108 is area 310 and 312, respectively. If these are defined as the plastically deformed areas, the inner pipe does not protrude from the outer pipe since element 304 and 306 are now defined as being part of the joint part. While portion 320 extends through a hole in the joint member, it does not include a plastically deformed area that directly engages the joint member.

Thus, Applicants believe Claims 7 and 43, as amended, patentably distinguish over the art of record. Likewise, Claims 7, 8, 10 and 44, which ultimately depend from Claim 7 or Claim 43 are also believed to distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 47 and 48 are rejected under 35 U.S.C. § 102(b) as being anticipated by Brunella (U.S. Pat. No. 5,265,652). Claim 47 has been amended to include the

limitations discussed above for Claim 7. While Brunella discloses the inner pipe extending from the outer pipe, there is not a plastically deformed area in Brunella which joins the inner pipe to the joint member. As illustrated in Figure 9, circumferential clamps joint the pipes to the joint member.

Thus, Applicants believe Claim 43, as amended, patentably distinguishes over the art of record. Likewise, Claim 48, which depends from Claim 47, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 11 and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kosugi, et al. in view of Inaba (U.S. Pat. No. 4,732,414). Claim 50 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Brunella. Claims 11, 45 and 50 ultimately depend from Claim 7, 42 or 47. As discussed above, these claims have been amended and are now believed to patentably distinguish over the art of record. Thus, Claims 11, 45 and 50 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIM**

New Claim 53 is similar to deleted Claim 51 except that "in" has been amended to "to". Claim 53 is believed to read on the elected species. Claim 53 defines that the end portion of the outer tube defines a plastically deformed area disposed within the groove of

the cylindrical male portion of the joint member. None of the cited prior art discloses this feature.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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